TRAVANCORE GOVERNMENT GAZETTE, SUPPLEMENT.

TUESDAY 3rd June 1902.

Abstract Proceedings of the Travancore Legislative Council.

The Council met in the Dewan's room, Public Offices, at 3 P. M., on Saturday the 31st May 1902. / 18th Edavom 1077.

PRESENT.

M. R. Ry. Dewan Bahadur K. Krishnaswamy Rao Avergal, C. I. E., F. M. U., Dewan ... ...*Presiding.*

M. R. Ry. T. Kunhiraman Nair Avergal.
M. R. Ry. V. Nagam Aiya Avergal, B. A., F. R. H. S.
M. R. Ry. T. Rajaram Row Avergal, B. A.
M. R. Ry. V. I. Kesava Pillai Avergal, M. A.
Mr. H. S. Ferguson.
Mr. K. K. Kuruvila, B. C. E.

President.—Gentlemen, before proceeding to the business of the day, I feel it to be due to the valuable services of the late Mr. Thanu Pillai M. A., F. M. U. that we should record in our journal our deep sorrow at his premature death and our high appreciation of his good work as a member of this Council. He was an official member of this Council from the date of its establishment to the date of his death, *i. e.*, for fourteen years. His high intelligence and culture, sound judgment, close application and intimate knowledge of the needs of the country made him a good and safe legislator. He was the author of many measures that passed through this Council. His part in other measures was not inconsiderable, as he was invariably a member of every Select Committee. While he yielded to none in his solicitude for the welfare of His Highness' subjects, he was not oblivious to the interests of Government. His untimely death has left a void which may take a long time to be adequately filled.

Mr. Kuruvila.—A sense of duty forces me to break the natural silence of regret and rise to add my humble testimony to the high appreciation of the eminent services rendered to Travancore and its people by the late lamented Mr. Thanu Pillai. My acquaintance with him extended over 30 years and I knew him both as a friend and as an officer successively successful in his career. The most noteworthy trait in his character was that the variations in his official position did not affect his sincere courtesy and attention to those that approached him. Among public officers there is sometimes a feeling that it is desirable to slight public opinion. But his attitude towards public opinion was neither slavish nor supercilious. He had a real regard for public opinion, and I can personally testify to several instances in which a regard for public opinion made him modify his original views in several important measures, such as the Municipal Bill, the Vakils Regulation, the Jenmi Regulation &c.. It

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would be out of place for me here to dwell on his general ability. What I specially wish to remember about him is that unlike some who try to be the light of an assembly without working for it, he always laboured hard and made himself perfect in the subjects he had to deal with. This I have noticed throughout his whole career, and I can only take comfort in the hope that these excellences in his character will find new light in the successors whom the Government may appoint in his place.

Secretary.—I beg to announce that the Guardians and Wards Bill passed by the Council on the 15th March 1902 received the assent of His Highness the Maha Rajah on the 28th March 1902 and has become law as Regulation II of 1077, with effect from the 1st Chingom 1078.

LUNACY BILL.

Mr. Kunhiraman Nair.—I beg to move for permission to introduce a "Lunacy Bill", wherein are embodied provisions for the proper care of the person and estates of lunatics or insane persons and for the detention of certain classes of lunatics in Asylums established by Government. There is at present no legislative enactment or statutory provision governing these subjects in this State and it is high time to supply the omission in the interests of good and progressive administration. There is no denying that it is the bounden duty of the State to safe-guard the interests of incapable and helpless persons unable to manage their affairs, and the affording of such protection is the special prerogative of the Sovereign acting through constituted tribunals. There are Lunacy laws in every civilised State, in some form or other. A systematic control of the lunatics and their estates is exercised by every civilized State under legal process, and there are in England and in British India several statutes and Acts prescibing the procedure to be adopted in such cases. It goes without saying that no administration based upon constitutional principles can in these days, when education is spreading among the masses and people are beginning to have a real and better conception of their rights and wrongs, properly discharge its duty of protecting the interests of incapable persons without well-defined laws and rules. The days are past when the Government could exercise proper control over the person and estates of insane persons by mere executive orders, and the necessity of having a law like the one now proposed, for regulating the mode in which the State is to discharge its duty towards its helpless subjects, is self-evident. The scope and object of the several provisions of the proposed Bill will be explained hereafter on the occasion of the actual introduction of the Bill, but I may as well remark at present, that this State has already by passing the "Guardians and Wards Regulation" recognized the imperative necessity there is of enacting statutory provisions for the protection of incapable persons. The case of lunatics does not differ in principle from that of minors. Both have no intelligent will, one by reason of immature age and the other by reason of unsoundness of mind, and being thus incapable of voluntary action, could enter into no valid contracts and incur no responsibility by their own acts. The one is as much entitled to the special protection of the State as the other and it behoves the legislature to extend the same kind of protection to both as far as possible. The legislation affecting the person and property of incapables, commenced by the introduction of the "Guardians and Wards Bill", now passed into law, cannot be regarded as complete until adequate provisions for the care of the lunatics are also enacted.

The Bill I now seek permission to introduce has, I may say, been framed on the lines of the British Indian Acts XXXV and XXXVI of 1858 with such alterations and changes as the circumstances of the country necessitate; and the opinion expressed by the Council during the progress of the "Guardian and Wards Bill" as to the desirablity of legislating for lunatics also leads me to hope and trust that the introduction of the present measure wil be readily voted for.

Permission was granted accordingly.

HINDU RELIGIOUS ENDOWMENTS BILL.

Mr. Nagam Aiya.—In formally presenting to the Council the report of the Select Committee on the Hindu Religious Endowments Bill, I will, Sir, with your permission, offer a few remarks. As copies have not been placed in the hands of the

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